

Remarks

Claims 1, 6, 7, 11, 30, 39 and 40 have been amended to more precisely claim the present invention. Portions of dependent claim 6 have been incorporated into independent claim 1. Claim 6 has been amended to positively recite a step of obtaining user selected plan options from the input device. Claim 7 was amended to align the text with the amendments to claim 1. Similar amendments were made to claims 11, 30, 39, and 40. Claims 1-11 and 20-49 remain pending in the application.

The Applicant thanks the Examiner for the May 23, 2006 interview that has been well summarized by the Examiner.

35 U.S.C. §103

Claims 1-11, 20-27, and 30-47 were rejected under 35 USC 103(a) as being unpatentable over Lockwood 4,567,359 (Lockwood '359) in view of Warady 6,067,522 (Warady '522). Each of the independent claims has been amended to clarify that the method includes a step of determining if a particular insurance plan may be offered but is not currently available to the customer based upon the stored plan requirements data and either the stored customer data or user selected plan options. The Applicant continues to agree with the Examiner's statement that Lockwood '359 fails to disclose all of the presently claimed features found in independent claims 1, 11, and 30. One feature not taught by Lockwood '359 is the determining step described above and another is the presentation of a description of insurance plan options that includes an indication that a particular insurance plan has been determined to not be currently available to the customer.

The Examiner asserts that Warady '522 teaches these claimed features that are missing in Lockwood '359. The Examiner has drawn our attention to FIG. 7e, column 4, line 51 to column 5, line 5 and column 5, line 65 to column 6, line 5. Nothing in these sections or other parts of Warady '522 teach displaying an indication that a particular insurance plan has been determined to not be currently available to the customer. Further, FIG. 7e appears to be merely a signature page for benefit elections document

and in no way shows any indication that a particular insurance plan has been determined to not be currently available to the customer.

Within Warady '522 the Examiner has indicated that the descriptions involving a prerequisites table 110 which contains information on prerequisites that must be met before an employee can be enrolled in the plans teaches this feature of the presently pending claims. The Applicant respectfully disagrees. While Warady '522 may disclose a prerequisites table 110 being stored in a database, a table of information is all that is described. Warady '522 does not describe how to use this table in any form of determination, calculation, or manipulation at all. In particular, Warady '522 does not teach making a determination about which insurance plans are offered but not currently available to the customer based upon the stored plan requirements data and either the stored customer data or user selected plan options. Further, Warady '522 does not teach, especially not even the form shown in FIG. 7e, using a display device with or even displaying anything in or derived from this prerequisites table 110. As such, the Applicant find no basis for the Examiner's suggestions that Warady '522 teaches either the determining or presenting features as presently claimed in the independent claims 1, 11, and 30.

Thus, the Applicant respectfully suggests that Lockwood '359 and Warady '522 when considered individually or together in combination, fail to suggest or teach all of the elements of the presently pending independent claims 1, 11, and 30. In particular, neither reference teaches, as claimed in independent claims 1, 11 and 30, determining if a particular insurance plan may be offered but is not currently available to the customer based upon the stored plan requirements data and either the stored customer data or user selected plan options. In addition, neither reference teaches, as claimed in independent claims 1, 11 and 30, presenting a description of insurance plan options that includes an indication that a particular insurance plan has been determined to not be currently available to the customer.

Claims 2-11 and 20-27 depend from claim 1 and therefore are allowable over Lockwood '359 and Warady '522 for the same reasons that claim 1 is allowable. Claims 31-47 depend from claim 30 and therefore are allowable over Lockwood '359 and Warady

'522 for the same reasons that claim 30 is allowable. Therefore, under 35 USC 103(a), Lockwood '359 and Warady '522 fail to teach the present invention as claimed in claims 1-11, 20-27, and 30-47 and withdrawal of this rejection is respectfully requested.

Claims 28-29 and 48-49 were rejected under 35 USC 103(a) as being unpatentable over Lockwood '359 and Warady '522 as applied to claim 1 and further in view of Gamble 6,163,770 (Gamble '770). Similar to the remarks regarding the Lockwood '359 and Warady '522 references, Gamble '770 fails to teach, as claimed in independent claims 1, 11 and 30, determining if a particular insurance plan may be offered but is not currently available to the customer based upon the stored plan requirements data and either the stored customer data or user selected plan options. In addition, Gamble '770 fails to teach, as claimed in independent claims 1, 11 and 30, presenting a description of insurance plan options that includes an indication that a particular insurance plan has been determined to not be currently available to the customer.

Thus, Lockwood '359, Warady '522, and Gamble '770 when considered individually or together in combination, fail to suggest or teach all of the elements of the presently pending independent claims 1, 11 and 30. Claims 28 and 29 depend from claim 1 and therefore are allowable over Lockwood '359, Warady '522, and Gamble '770 for the same reasons that claim 1 is allowable. Claims 48 and 49 depend from claim 30 and therefore are allowable over Lockwood '359, Warady '522, and Gamble '770 for the same reasons that claim 30 is allowable. Therefore, under 35 USC 103(a), Lockwood '359, Warady '522, and Gamble '770 fail to teach the present invention as claimed in claims 28-29 and 48-49 and withdrawal of this rejection is respectfully requested.

Applicant has reviewed the other references cited the by Examiner and determined that they do not teach or suggest the present invention.

Conclusion

On the basis of the foregoing, Applicant respectfully submits that claims 1-11 and 20-49 are now believed to be in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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